UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,582	12/05/2001	Roy F. Brabson	RSW920010222US1	3561

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ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 07/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 December 2001</u>.

2a)☐ This action is **FINAL**.　　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-13</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-13</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>05 December 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　1.☐ Certified copies of the priority documents have been received.

　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)　　　　　4) ☐ Interview Summary (PTO-413)
　　　　　　　　　　　　　　　　　　　　　　　　　　　　　　Paper No(s)/Mail Date. _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)　　5) ☐ Notice of Informal Patent Application (PTO-152)
　　　Paper No(s)/Mail Date _____ .　　　　　　　　　　　　　　6) ☐ Other: _____ .

DETAILED ACTION

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1, 8-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Arrow et al. (U.S. Patent No. 6,175,917).

<u>Referring to claim 1</u>:

Arrow et al. teach:

A method of improving security processing in a computer network, comprising steps of:

Providing a security offload component which performs security processing (see e.g. figure 1, element 115; and column 9, lines 18-25 of Arrow et al.);

Providing a control function to an operating system for directing operation of security processing by the security offload component (see column 10, lines 53-56 of Arrow et al.);

Providing an application program (see e.g. figure 1, element 140 of Arrow et al.);

During execution of the application program, directing the security offload component to secure at least one communication of the executing application program (see column 8, lines 4-11 of Arrow et al.).

Referring to claim 8:

Arrow et al. teach the claimed subject matter: providing a security offload component which performs security processing, and a control function. Arrow et al. further disclose providing client and/or server certificates to the security offload component in securing the communications (see column 9, lines 18-19 of Arrow et al.).

Referring to claim 9:

Arrow et al. teach the claimed subject matter: providing a security offload component which performs security processing, and a control function. Arrow et al. further disclose the security key information used in the offload security component (see column 7, lines 59-61 of Arrow et al.).

Referring to claim 10:

Arrow et al. teach the claimed subject matter: providing a security offload component which performs security processing, and a control function. Arrow et al. further disclose the cipher suite information used in the offload security component (see column 7, lines 46-52 of Arrow et al.).

Referring to claim 11:

Arrow et al. teach the claimed subject matter: providing a security offload component which performs security processing, and a control function. Arrow et al. further disclose that the outbound data packet is sent directly to its destination from the security offload component (see column 8, lines 18-19 of Arrow et al.).

Referring to claim 12:

Arrow et al. teach:

A system of improving security processing in a computer network, comprising:

A security offload component which performs security processing (see e.g. figure 1, element 115; and column 9, lines 18-25 of Arrow et al.);

At least one control function to an operating system for directing operations of security processing by the security offload component (see column 10, lines 53-56 of Arrow et al.);

Means for executing the at least one provided control function (see column 2, lines 34-38 of Arrow et al.);

Means for directing the security offload component to secure at least one communication of an application (see column 8, lines 4-11 of Arrow et al.).

Referring to claim 13:

This claim has limitations which are similar to those of claim 12, thus it is rejected with the same rationale applied against claim 12 above.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arrow et al. (U.S. Patent No. 6,175,917), further in view of Bulfer et al. (U.S. Patent No. 5,392,357).

Referring to claims 2-3:

i.   Arrow et al. teach the claimed subject matter: providing a security offload component which performs security processing, and a control function (see claim 1 above). However, Arrow et al. do not explicitly mention the mechanism to start or stop securing the communication.

ii.   Bulfer et al. disclose a system wherein the secure communication between two parties can be started by providing the encryptor type (see column 12,

lines 61-63 of Bulfer et al.), and the secure communication can be changed to a non-secure communication via a clear button (see column 8, lines 44-46 of Bufler et al.).

iii.   It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Bulfer et al. into the system of Arrow et al. to provide the functionalities to start and stop securing the communication in the security offload component.

iv.   The ordinary skilled person would have been motivated to have applied the teaching of Bufler et al. into the system of Arrow et al. to provide start and stop functionalities in the security offload component, so that unauthorized persons cannot intercept and access voice, data, facsimile, video or other information not intended for them (see column 1, lines 12-14 of Bulfer et al.).

Referring to claims 4-5:

Arrow et al. and Bulfer et al. teach the claimed subject matter: providing a security offload component which performs security processing, and a control function. Arrow et al. further disclose the information needed by the offload security component: authentication information; cipher suite information; and the security key information (see column 7, lines 46-52, and lines 59-61 of Arrow et al.).

5.   Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arrow et al. (U.S. Patent No. 6,175,917), further in view of Angle et al. (U.S. Patent No. 5,541,920).

Referring to claim 6-7:

i.   Arrow et al. teach the claimed subject matter: providing a security offload component which performs security processing, and a control (see claim 1 above). However, Arrow et al. do not specifically mention modifying the outbound data in preparation for use by the offload security component. Arrow et al. also do not specifically mention to reserve space in the outbound data for the security headers and trailers.

        ii.   Angle et al. disclose a system wherein the data packet is modified before being forwarded to its destination (see column 1, lines 33-36 of Angle et al.); and the reserved space in the data packet is used for modification (see column 4, lines 53-58 of Angle et al.).

        iii.   It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Angle et al. into the system of Arrow et al. to modify the packet in preparation for the use by the security offload component, and use the reserved space in the outbound data for the security headers and trailers.

        iv.   The ordinary skilled person would have been motivated to have applied the teaching of Angle et al. into the system of Arrow et al., because it is desirable to implement a packet streaming modification technique for data packets which include fields that may need to be modified base on the packet contents following the fields to be modified (see column 2, lines 11-15 of Angle et al.).
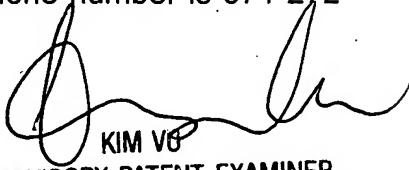
Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Pan whose telephone number is 571-272-5987.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100